

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2005/000413

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. ⁷: A61B 1/267

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

SEE ELECTRONIC DATABASES CONSULTED

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

A61B 1/00, A61B 13/00, pharynx, larynx, throat, airway, mouth, tube, guide, conduit, passage, pipe, hook, arcuate, curve, bent, bend, glottis, glottides, glottal, vocal, cords, mark, guide, scale, rule, gauge, indicate, indicia, depth.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	FR 2489686 A (WILLIAMS) 12 March 1982 Entire document	1-11, 14,15, 26-32
Y		12, 13
X	WO 2003051186 A1 (TJONG JOE WAI) 26 June 2003 Abstract, Fig. 1-10C, page 2 line 20 – page 3 line 27, page 6 lines 19-25, page 13 line 16 – page 23 line 10.	1-11,14,15, 26-32
Y		12,13
X	WO 1999038432 A1 (JOHNS HOPKINS UNIVERSITY) 5 August 1999 Entire document	1-11, 14,15, 26-32
Y		12,13
X	JP 8206224 A (MIYABARA) 13 August 1996 Abstract, Fig. 1,2	1-11,14,15, 26-32
Y		12,13

☒ Further documents are listed in the continuation of Box C

☒ See patent family annex

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"E" earlier application or patent but published on or after the international filing date

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"O" document referring to an oral disclosure, use, exhibition or other means

"&" document member of the same patent family

"P" document published prior to the international filing date but later than the priority date claimed

Date of the actual completion of the international search
10 May 2005

Date of mailing of the international search report
23 MAY 2005

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5174283 A (PARKER) 29 December 1992 Abstract, Fig. 1-8, column 10 line 33 –column 13 line 59.	12,13
Y	US 5339805 A (PARKER) 23 August 1994 Abstract, Fig. 1-8, column 10 line 36 – column 14 line 27.	12,13
A	WO 2002047549 A1 (WILSON COOK MEDICAL, INC.) 20 June 2002 Entire document	16-21
A	US 5617858 A (TAVERNA et al.) 8 April 1997 Entire document	16-21
A	JP 2003310537 A (OLYMPUS OPTICAL CO LTD) 5 November 2003 Entire document	16-21

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Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
See Extra Sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

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Supplemental Box

(To be used when the space in any of Boxes I to VIII is not sufficient)

Continuation of Box No: III

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Searching Authority has found that there are different inventions as follows:

1. Claims 1-15, 22-32. It is considered that -tube is, in use, generally hook shaped with the first portion being substantially straight and the second portion being of articulate form, extending obliquely from the first portion and configured to follow the pharyngeal arc defined by the passage from the rear of the patient's mouth cavity through the oropharynx to a location adjacent the glottis- comprises a first "special technical feature".
2. Claims 16-21. It is considered that - device includes internal marking for the purpose of guiding an endoscope therethrough - comprises a second special technical feature.

INTERNATIONAL SEARCH REPORT

Information on patent family members

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
FR	2489686	CA	1155029	DE	3135570	GB	2084877
		JP	57110261	SE	8105299	US	4338930
WO	03051186	AU	2002338218	EP	1439776		
WO	9938432	AU	24532/99	CA	2318834	EP	1051102
		US	5976072				
JP	8206224	NONE					
US	5174283	AR	245360	AU	68959/91	BR	9007830
		CA	2067782	CN	1051511	EP	0500778
		FI	922071	HK	1001186	IL	96206
		NO	921815	NZ	235907	SG	49643
		US	5038766	US	5339805	WO	9107201
		ZA	9008701				
WO	0247549	AU	29024/01	CA	2414258	EP	1299033
US	5617858	CH	689724	DE	19527245	FR	2723832
		IT	MI951823	JP	8280604	NO	943213
JP	2003310537	US	2003229296				
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.							
END OF ANNEX							